

SEALED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

2017 OCT 18 PM 12:38

UNITED STATES OF AMERICA,

Plaintiff,

v.

**FRANCISCO ENRIQUEZ (1),
SHANE MCDOUGAL (2),
JASON VILLA (3),
JOSE VILLANUEVA (4),
ALFREDO ESPARZA, SR. (5),
ALFREDO ESPARZA JR (6),
ROBERT NELLE (7),**

Defendants.

SA 17 CR 814

CRIMINAL NO:

INDICTMENT BY

[D Vio: 21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(C), Conspiracy to Possess with Intent to Distribute five kilograms or more of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A).]

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A)]

That beginning on or about November 2012, and continuing to the present in the Western District of Texas, Defendants,

**FRANCISCO ENRIQUEZ (1),
SHANE MCDOUGAL (2),
JASON VILLA (3),
JOSE VILLANUEVA (4),
ALFREDO ESPARZA, SR. (5),
ALFREDO ESPARZA JR (6),
ROBERT NELLE (7),**

knowingly, intentionally and unlawfully combined, conspired, confederated and agreed together and with others known and unknown to possess with the intent to distribute a controlled substance, which offense involved five kilograms or more of a mixture or substance containing a detectable quantity of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A).

QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY

The quantity of the mixture or substance containing a controlled substance involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY
FRANCISCO ENRIQUEZ (1),	1,000 grams or more of a mixture or substance containing a detectable amount of heroin; 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine; 1,000 kilograms or more of marijuana
SHANE MCDUGAL (2),	1,000 grams or more of a mixture or substance containing a detectable amount of heroin; 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine; 1,000 kilograms or more of marijuana
JASON VILLA (3)	5 kilograms or more of a mixture or substance containing a detectable amount of cocaine
JOSE VILLANUEVA (4),	1,000 grams or more of a mixture or substance containing a detectable amount of heroin; 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine; 1,000 kilograms or more of marijuana
ALFREDO ESPARZA, SR. (5),	1,000 grams or more of a mixture or substance containing a detectable amount of heroin; 5 kilograms or more of cocaine;
ALFREDO ESPARZA JR (6),	1,000 grams or more of a mixture or substance containing a detectable amount of heroin; 5 kilograms or more of cocaine;
ROBERT NELLE (7),	5 kilograms or more of cocaine;

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

Drug Violations and Criminal Forfeiture Statutes

[Title 21 U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(A), subject to forfeiture pursuant to Title 21 U.S.C. §§ 853(a)(1) and (2)]

As a result of the foregoing criminal violations set forth in the counts of the Indictment, which are punishable by imprisonment for more than one year, the United States of America

gives notice to Defendants of its intent to seek the forfeiture of certain property upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 21 U.S.C. §§ 853(a)(1) and (2), which state:

Title 21 U.S.C. § 853.

(a) Any person convicted of a violation of this subchapter or subchapter II of this chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law -

- (1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; ...

A TRUE BILL.


FOREPERSON OF GRAND JURY

RICHARD L. DURBIN, JR.
United States Attorney

By:



SAM L. PONDER
Assistant United States Attorney